

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

DAMON JAMES WILSON, for
himself and all others similarly situated,

Plaintiff,

v.

THE STATE OF TEXAS, ET AL.,

Defendants.

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Case No. 1:21-cv-943-RP-JES-JVB

**DEFENDANTS' UNOPPOSED MOTION TO EXTEND DEADLINE TO RESPOND TO
PLAINTIFF'S MOTION FOR CLASS CERTIFICATION [ECF 5]**

Defendants the State of Texas, et al., respectfully move for an extension of their deadline to file a response to Plaintiff's Motion for Certification of Class Action filed November 8, 2021. ECF No. 5. Under Local Rule CV-7(D)(2), the deadline is currently November 22, 2021. Defendants seek an extension up to and including December 3, 2021.

Defendants recently filed a motion to extend the deadline to file an answer or responsive pleading, ECF 7, a motion this Court granted. This request will allow the Defendants to meet the current answer or responsive pleading deadline, while allowing the Defendants additional time to also brief the issues raised by Plaintiff's class certification motion.

The Defendants have conferred with Plaintiff's counsel concerning the relief requested. Defendants understand that Plaintiff is unopposed to an extension up to and including December 3, 2021.

This extension is not sought to delay the proceedings, but rather, is designed to allow the parties to adequately brief issues pending before this Court. Accordingly, and in light of the agreed terms listed above, Defendants respectfully request that the Court extend their deadline to file a response to Plaintiff's Motion for Certification of Class Action up to and including December 3, 2021.

Date: November 18, 2021

KEN PAXTON
Attorney General of Texas

BRENT WEBSTER
First Assistant Attorney General

Respectfully submitted.

/s/ Patrick K. Sweeten
PATRICK K. SWEETEN
Deputy Attorney General for Special Litigation
Tex. State Bar No. 00798537

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COUNSEL FOR DEFENDANTS

CERTIFICATE OF CONFERENCE

I certify that on November 18, 2021, counsel for the Defendants conferred with counsel for Plaintiff about the foregoing motion. Plaintiff is unopposed to the relief sought.

/s/ Patrick K. Sweeten
PATRICK K. SWEETEN

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was filed electronically(via CM/ECF) on November 18, 2021, and that all counsel of record were served by CM/ECF.

/s/ Patrick K. Sweeten
PATRICK K. SWEETEN

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**ORDER GRANTING DEFENDANTS' UNOPPOSED MOTION TO EXTEND
DEADLINE TO RESPOND TO PLAINTIFF'S
MOTION FOR CLASS CERTIFICATION**

On this date, the Court considered Defendants' Unopposed Motion to Extend Deadline to Respond to Plaintiff's Motion for Class Certification. After considering the Motion, the Court believes the Motion is meritorious and should be GRANTED.

IT IS THEREFORE ORDERED that Defendants' Unopposed Motion to Extend Deadline to Respond to Plaintiff's Motion for Class Certification is hereby GRANTED. The Court hereby ORDERS that Defendants must file their response by December 3, 2021.

DATE: _____

UNITED STATES DISTRICT JUDGE